YALE COLLEGE

IN 1890

REFLECTIONS ON ITS CHARTER

The articles composing this pamphlet were written at odd times when the writer was in the humor, and were published at odd times when the newspapers to which they were addressed cared to publish them.

They are now put together as a contribution to the information graduates will have in their possession before they commence any action in the premises.

D. Cady Eaton.

YALE COLLEGE IN 1890

I.

There is a radical difference between a college and a university. This difference should be emphasized in a country where there is danger of the terms being confounded and where there is apparent a disposition to regard a university as a college of a larger growth, or as the logical expansion of a successfully conducted college institution. The misconception is already beginning to injure the cause of education by impeding progress in some directions and by wasting and scattering force in others. The difference is both philological and historic. Both terms are of Roman origin. "Universitas" designated any corporate body of which the functions and powers were not only common to all its members, but were generic in character. "Universitas Civium" meant the whole body of citizens in most generic acceptation, without reference to specific duties, or occupations. The term could be applied to a city, town, or province; and

then nearly corresponded to the modern term "Municipal Corporation." So generic a term could not fail to be misused; but through all the misuse there survived the fundamental notion of some particular universality. Otherwise the term would have been meaningless. The term was diffuse, stretching over all who could be covered by one political, or other economic, principle: over all who could be brought within defined topographical limits.

"Collegium" was, in a certain sense, the converse of "Universitas." It indicated a limited and restricted body; a body drawn from the "Universitas" for certain purposes and united by similarity of occupation or interest. Such was the "Collegium Pontificorm"; the college of the Vestal Virgins, etc., etc. The term survives in its original use in such titles as "The New York College of Pysicians and Surgeons," for instance. The "Guilds" of the middle ages were the legitimate successors of the Roman "Collegia." The term is concentric; not necessarily narrow and selfish, but individual. A collegiate philanthropy is limited; not cosmical.

When the darkness of the middle ages began to gleam with the light of modern civilization the term "Universitas" reappears to designate not only a large union of masters and scholars, but

also the town where they assemble to teach and to be taught. The University of Paris, for instance, designated not only the corporate body of teachers and scholars, but also that part of the city where the schools were held; where prevailed special university laws administered by specially selected university officers. Down to the time of Richelieu "l'Université" was as independent of the rest of Paris as if it had been miles away.

The origin of the great European universities of the twelfth and thirteenth centuries is as obscure as the origin of most things. That large and famous schools existed as early as the seventh century is evident, and that the term "University" was used may be inferred; but the term first officially appears at the end of the twelfth century; and then in bulls, decrees and charters, issued by popes, emperors and kings, confirming rights and privileges which as customs had undoubtedly existed for centuries.

In 1158 Frederick Barbarossa issued a decree to the "Universitas Magistrorum et Scholorum" of Bolognia; conveying among other rights, the right of students to be tried by their masters; thus freeing them from the jurisdiction of the town and recognizing the university as an independent and juristic body.

In 1194 Pope Celestin III. issued a decree of similar import to the "clercs residants à Paris." This was followed in 1200 by an edict of Philip Augustus to the "Universitas-Scholorum" of Paris prohibiting the Provost of Paris from interfering with the students in any way whatsoever, and freeing them from the city's criminal and civil processes.

To follow the history of universities is too long a matter for articles intended for quick reading and for calling attention to present issues.

After the thirteenth century universities owe their origin to popes and to secular sovereigns. A few were established by free cities, but their degrees were little esteemed.

The conclusion sure to be reached from a study of the past and of the present, is that a university should be a place of universal learning; where faculties should subsist in substantial independence; where no particular denominational notions, or personal prejudices, should prevail to the injury of any legitimate study; and where the presiding officer, call him what you please; rector, chancellor, or president, should be an executive officer, and nothing more, elected at short intervals by the body "Magistrorum Scholorumque" to see to it that the laws of the university are carried out; the dignity of the institution upheld and its interests advanced.

A college, throughout the vicissitudes of history from the time of the Romans down has come to be an institution of different and limited purposes. An institution whose particular and individual notions may express themselves and legitimately prevail without injury to the general body. At the universities of England the difference is so sharply presented as to be most easily understood. A college, as the term was used during the middle ages, designated a foundation, or charity, to assist poor students in pursuing their university studies. The donor, or donors, could limit the enjoyment of the charity by any conditions within reason and not opposed to the fundamental regulations of the university. Race and national restrictions were permitted as well as limitations to selected studies. Certain monastic orders might be favored, or certain social ranks. Colleges in this primitive acceptation have almost entirely disappeared from the Continent. In France successive revolutions have so frequently broken up and changed institutions that connection with the past is little more than traditional. Italy has fared no better; though Bolognia claims organic life and continued university succession for a thousand years. In Germany, the universities are of more recent origin and subsist without the aid, or support, of colleges. In England, however, the colleges have weathered

political gales; have increased in strength and power with the increasing power of the country, and are to-day magnificent evidences of private contributions to the glorious permanency of the foremost institutions of learning in the civilized world. At Oxford, perhaps better known to Americans than Cambridge, the colleges have grown with the centuries till now they are the richest and most influential of all institutions of learning; possessing lands and revenues; buildings, ecclesiastical, scholastic and domestic—models of architecture; distributing clerical livings and lay fellowships; bountifully rewarding diligent study; furnishing learning with honor and power. Each college still has its particular laws governing the acceptance of students and their behavior during residence. The instruction in each is different. Though the university alone confers degrees, each college requires of students certain collegiate work before they may present themselves to the university as candidates, and the requirements vary. This collection of independent institutions within the universality of a university, and under its protection, is the form which the past of the Anglo-Saxon race has accepted as the best for its educational development. The present should study it. Legislators and teachers should understand it and should discuss modifica-

tions the country may require. But it is high time plans were laid; general divisions marked, and general principles established; that schools and colleges may grow up to, and properly fill, their respective places; and, above all, that university learning may ever be kept free from sectional and sectarian domination.

In view of the facts thus rapidly set forth and of the self-deducing principles a private act passed by the legislature March, 1887, is significant and alarming. The act reads as follows:

Resolved by this assembly: That the use of the title "Yale University" by the corporation existing under the name of "The President and Fellows of Yale College, in New Haven," is hereby authorized; and all gifts to, contracts with, conveyances to or by, or other acts affecting said corporation, by either of said names shall be valid; and the acceptance of this act by said corporation, shall not operate to subject its charter to repeal, alteration or amendment within its consent.

Approved, March 8, 1887.

II.

New Haven has a Law school at the head of which is a Congregational clergyman. New Haven has a Medical school at the head of which is a Congregational clergyman. New Haven has a Scientific school at the head of which is a Congregational clergyman. New Haven has a school, called the Department of Philosophy and Arts, at the head of which is a Congregational clergyman. New Haven has a school of Fine Arts at the head of which is a Congregational clergyman. New Haven has a school of Astronomy at the head of which is a Congregational clergyman. And New Haven has a school of Theology at the head of which is a Congregational clergyman. There would be no objections to this latter arrangement, at least on the part of the Congregationlists, provided the school had the privilege of selecting its own head, prescribing his duties and limiting his term of office; though of the twenty odd millions of church members in the United States only about four hundred and fifty thousand are Congregationalists. Oddly, the Congregational clergyman who is at the head of the Law school is the very same Congregational clergyman who is at the head of the Medical school and at the head of all the other

schools; so that special fitness, apart from being a Congregational clergyman, is not, and cannot be, considered in the appointment. More oddly still, these schools have no voice whatsoever in selecting their one and supreme head. He holds this most important, most authoritative, and most influential position ex-officio, and merely as an appendage of his headship of Yale College; to which latter position he is elected for life by a board of which the majority is a self-perpetuating body composed of Congregational clergymen like himself, except that their choice is limited by the still narrower restriction that they must be residents of Connecticut.

Nor is the position merely nominal and executive. The head of Yale College claims the right of vetoing the acts of all the faculties, while no change in, or addition to them, except in the Medical school, can be made without the consent of this extraordinary educational pontiff, and without the concurrence of the modern American sacred college back of him! One is inclined to rub one's eyes and ask in wonder: "Can these things be; and in this the nineteenth century; and in this land where freedom from denominational control in every department of life has ever been a brave boast? It must be a dream; for never in history since learning declared, conquered, and maintained, independence of the church, have such things been

tolerated. Have we gone back to the middle ages, to the times of Jesuitical supremacy?"

No, it is not a dream, but another instance of the success of that slow, silent, skillful working for power which has characterized churchmen since the church first possessed secularities. The rise and progress of this hierarchy can be traced in the public and private acts of the representatives of Connecticut all the way from the year 1701 when the first charter of Yale College was granted by the colony legislature. For full knowledge the acts of the college itself should be before the investigator. But as well ask to be shown the secret transactions of the followers of Loyola. Still enough of the past can be got at to fairly understand the present and the duties it imposes upon State representatives on the one hand, and upon all true lovers of their Alma Mater on the other.

The position taken by those in opposition to the present regime is this. Far be it from them to detract from the accomplishments of the college. They are not disposed to question its usefulness within the limits prescribed by its charter. But they claim it should be kept within its charter; and that its narrow and denominational government is not the government to be spread over a university containing all the faculties and claiming national recognition. They maintain that the state has

power to interfere and that it should exercise the power. They are conscious of practical injury resulting from the present regime. They honestly believe that if denominational superintendence and control were removed, and the various departments made free under a generic liberal and university government, thousands of gifts and bequests would flow into the various treasuries which are now, year by year, almost day by day, lost, or diverted to other and more liberal institutions.

How many graduates of one's acquaintance have personal cognizance of such diversions and losses immediately traceable to peculiarities in the composition, in the acts, and in the manners of the governing body of Yale College? It is a sad commentary that Yale's largest gifts come from outsiders, unacquainted with the workings of its policy, while graduates hesitate to put their money into the hands of a body where enlightened progress and cosmopolitan culture are of necessity limited, and where the activity of the forces at work in the outside world may be only dimly seen through the veil of denominational opposition, or the haze of clerical indifference. But let the matter be considered seriously and earnestly, and be judged calmly and justly.

Three points present themselves: First, Is the continuance of the present condition desirable?

Second, Has the legislature power to terminate it; and third, If it have the power, will it exercise it? That the clerical party now governing the college and the various schools subjected to its sway will ever of its own accord abdicate, might as well be left out of the calculation at once. That it considers itself eminently fitted for the performance of these, as well as of all other possible duties, is clerical. A clerical never surrenders power. His grip remains tight till it is broken by force; especially is this the case when he is aggregated and is not acting personally, that is under a sense of personal justice or benevolence. The task, therefore, is to convince the legislature of its rights, and to move it to their assertion. A long, dreary, and well nigh hopeless task, but not to be shunned by earnest conviction; worthy of sacrifice; attractive to pugnacity, and to legal subtlety and erudition.

The legal points are of generic law and of the interpretation of special statutes.

A point without legal intricacies, and patent to a common sense understanding of the fundamental notion of law, is this: "Has Yale college the power now, has it ever had the power, of creating faculties outside of itself, independent of itself in teaching and in the object of teaching, but dependent upon itself and subordinate to itself in all

other particulars?" Yale college has certainly exercised this right, and so far the state has not questioned it. But has not its exercise been in usurpation of rights of which the state cannot divest itself, of which it cannot surrender control, so long as it remains a sovereign state?

The extremest clerical would not claim for the college the power to establish, for instance, a School of Law endowed with all the automatical powers necessary to make it an honor and glory to the state; the power of regulating its own affairs; of electing its own head in accordance with its own regulations; of holding its own property; and of conferring its own degrees. Then, pray, what right has the college to erect a law faculty bereft of these attributes; a faculty belittled, hampered and confined by clerical dominations and limitations?

Can the state permit the clerical to say to the lawyer: "I have better understanding of the laws of property than you, so I will hold and manage your possessions. I am better judge of legal merit than you, so I will appoint to your professorships. I can estimate desert with a clear insight to you unknown, so I will distribute your degrees and your honors, your LL.B's and your LL.D's.

One must pause awhile and reflect to recover from the apparent absurdity of the position.

III.

There is a radical difference between a contract and a charter. A contract is the voluntary act of parties between whom there is parity of position as to the subject matter of the contract and above whom there is a superior party possessing requisite power to enforce the instrument, or to inflict penalty for its violation. A sovereign state cannot technically be a party to a contract because there is no superior sovereignty to enforce it. A sovereign state can be sued only in matters over which it has surrendered sovereignty, or of which it permits question.

According to the theory of the government of the United States rights surrendered to the United States by individual states cannot be resumed, but all rights not surrendered are still enjoyed by individual states in their sovereign capacity. Among these reserved rights is the right to issue charters, and with the right to issue is necessarily joined the right to modify and repeal. Such is the teaching of the common law; such has ever been the practice of governments. "Cujus est dare ejus est deponere." For stability in political life there must be somewhere an absolute and final power from which there is no appeal, of which the acts cannot

be questioned. In a republican form of government the ultimate power is in the people. Their Constitutions and statutes show the methods for its manifestation.

A charter is an instrument issued by a state conferring upon individuals privileges or powers, which are supposed to reside in the bosom of the state. Among these rights no one is more honored than the right to confer degrees. Any one can open a school and give instruction, but in the state alone resides the power to ennoble learning by giving it a title. If the State delegate this power to others, it must be exercised strictly in accordance with the wording of the instrument conveying the power. A charter is in derogation of common right. By this legal term is meant that a charter conveys to a few rights to which they have no more natural right than others. The few are favored to the exclusion of the many. Therefore a charter must be strictly construed. The rights to be exercised must be most clearly and distinctly specified. Any doubt or ambiguity is fatal. A college chartered for certain purposes must confine its activities strictly to those purposes. A school of divinity cannot confer degrees of law, nor a school of law degrees of divinity. The same principles apply to other corporations, public or private. A charter to build and operate a railroad does not carry per-

mission to open a bank; though the bank would be of use to the road. A charter to a car manufacturing company does not permit the company to lay rails and run its cars thereon. A charter to a savings bank does not create a bank of issue. A charter to a mining company does not convey power to move its ore to market unless that particular power be granted in its charter; unless the company be chartered both as a mining and as a transportation company. These simple principles are beyond dispute. Nor was the principle of the right of a state of the Union to alter, or recall, its grants seriously questioned, so far as the writer knows, till the time of the celebrated Dartmouth case. This case is so remarkable in itself, and so pertinent to the present inquiry that a few of its details must be presented. To fully discuss the case would exhaust the patience of the ordinary reader. In 1816 the legislature of the State of New Hampshire passed a bill increasing the number of trustees of Dartmouth College from 12 to 21, and changing the name of the institution to Dartmouth University. Two of the old trustees joined themselves to the new trustees, thus giving the new body a majority. One of the two was a W. H. Woodward, treasurer and secretary of the old body. When he went over he took with him the original charter granted by George III., the corporate seal,

etc., etc. The case is known as Dartmouth College vs. Woodward as *pro forma*, the action was brought against him for the recovery of the aforementioned property. The action of the legislature was extremely arbitrary. It amounted to the destruction of the old body and to the creation of an entirely new one. Subsequently the legislature went still further and imposed a fine of $500 on any member of the old body who refused to act with the new. The case in time came up before the highest court in the State of New Hampshire and was there argued at length. It is to be regretted that the New Hampshire reports do not contain the arguments of counsel. The court decided in favor of the legislature. The decision given by Richardson, C. J., should be read by all interested in college legislation. The broad ground was taken that the state could not surrender the supervision of its chartered institutions of learning, especially if they had attained a prominence equal to that of the institution in question, which, by its growth, had ceased to be a private corporation and had become a public institution; that the affairs of such a college concerned the entire population; that, as it was a glory to the state, so it was the state's duty to preserve it intact, to hold it strictly to its duties, and to prevent improper use of its privileges and powers.

On a statement of the facts the case went up to the Supreme Court of the United States; the state failing to oppose the appeal. It was argued at great length during the month of March, 1818. Mr. Webster spoke for two days. His brief covers over fifty pages of Wheaton 4. He was on the side of the original trustees and held the argument firmly to technicalities. His eloquence and his logic were irresistible. He fairly carried the court off its feet and out of its head. There was but one dissenting justice, Duvall. The decision was that the acts of the legislature of New Hampshire "are repugnant to the constitution of the United States and so, not valid." John Marshall was Chief Justice and gave the decision of the court; but Justice Joseph Story's opinion, also given in Wheaton 4, shows the superior lawyer. It must not be forgotten that at the time the decision was given the federalist party, to which the majority of the Justices were attached, was engaged in a life-and-death struggle with the new Democratic and State's Rights party established by Jefferson, then known as the Republican party, but subsequently and still known as the Democratic party. Politics are apt to have their full share in the important decisions of the Supreme Court.

The decision was accepted, by Federalists at least, as establishing the principle that the clause

of the Constitution prohibiting States from passing laws impairing the validity of contracts applies to charters, which, once granted, can neither be modified nor repealed without the consent of the beneficiaries. It would be difficult nowadays to find a disinterested lawyer of eminence not of the opinion, either that the court went too far, or that too general deductions have been made from its decision. There is no better reading in law literature than Webster's argument and Storey's opinion. They are the first things to be read by those interested in the matter under discussion. Far be it from me to pass judgment. The legal advisers of the state were outclassed. They should have made their fight on the legality of appeal. By consenting to the appeal they placed the case in the hands of their enemies. Their arguments as reported in Wheaton 4. are weak, dreary, timid and illogical. They knew they were whipped. The decision excited as much uproar as did the Dread Scott case many years after, and as did the legal tender case within recent memory. Contemporary literature is full of it. In spite of the outcry of opposition the decision was not only accepted by state and Federal Courts, but expanded beyond the limits originally contemplated. Banks, railroads, all conceivable corporations took advantage of a ruling which seemed in a fair way to do more for the per-

manency of federalism, and for the destruction of state's rights, than had ever entered the head of the extremist partisan; for if a charter were to be regarded as a contract what act of man, or of a body of men, would be safe from the classification, and from the domination of the central government? What would prevent even an election from being brought under this far-reaching doctrine? The several states, thereafter, were careful to insert in charters clauses reserving the right to repeal or change. Many, as a safeguard against future carelessness, passed general laws to the effect that all charters should hereafter be granted with the understanding that the power to alter or terminate was especially reserved. A law to this effect was passed by the legislature of Connecticut, but not till 1875. Of late years, whenever the Supreme Court has had the chance, there has been manifested an inclination to modify the ruling of the Dartmouth case. It has been held, for instance, that the ruling does not apply to public corporations—that is, those in which the public is interested, but must be restricted to private and eleemosynary corporations, such as hospitals, and schools endowed by private individuals for specific purposes and in no way receiving aid from the state.

In 1848 it was held that a legislature can retake a franchise granted by a charter upon making

compensation. In 1879 a still severer blow was struck at the Dartmouth case by the court holding that the charter is not thereby protected, but only any contract the charter may contain. These two decisions seem to reduce the matter to a question of an assessment of damages. So that if legislation were of practicable advantage to a college the boot would be altogether on the other leg. There can be little doubt that if a similar case was again before the Supreme Court, the ruling in the Dartmouth case would be very much modified, if not entirely reversed. The Dartmouth case was decided in 1819. The old charter of Yale was confirmed by the new state government of Connecticut in 1818, so that in any case the Dartmouth ruling would be retrospective and would require a renewed judicial decision.

This very hasty sketch may serve as an introduction to a more careful review of the acts of legislation which relate to Yale College. If a person take up to-day's catalogue of Dartmouth, with the celebrated case fresh in his mind, he will be surprised to find that to the names of the successors of the famous twelve, eight ex-officio names have been added. He will be, perhaps, still more surprised to find that to this body have been added: one adjunct body of thirteen members; another, of two; and a third, of five. How the heroic twelve were

forced from their high horses is recorded in the acts of the legislature of New Hampshire. That the subject matter from which the Dartmouth case sprang, and upon the preservation of the integrity of which so many old fogy decisions seem to rest, should itself have been disintegrated by the force of public opinion and by the onward march of liberal ideas, is an instructive circumstance for the student of the legal history of the United States, and of great encouragement to those warring against denominational, and all other, limitations and restrictions in the government of American universities.

IV.

The first charter of the school of which Yale College is successor was granted in 1701. It was granted "for the founding, suitably endowing and ordering a collegiate school * * * wherein youth may be instructed in the arts and sciences, who through the blessing of Almighty God may be fitted *for public employment* both in church and civil state." It was granted on the petition of "several well disposed and public spirited persons," prompted by "their sincere regard to, and zeal for the upholding and propagating of the Christian Protestant religion," and its intent was that "encouragement be given to such pious resolutions and that so necessary and religious an undertaking may be set forward, supported and well managed."

The provisions of this charter are well known. The rights and privileges asked were granted to ten persons "being all reverend ministers of the Gospel and inhabitants within this said colony," with power to increase the number to eleven and with power to appoint successors drawn from the same body to which they belonged, "being over forty years of age." With the charter came a grant of £120 a year "until this court order other-

wise." This grant and the words "for public employment" sufficiently indicate that the school was chartered as a public institution. Corporate rights were accorded, including the right of holding real property to the value of £500. This is about all there is to the original charter.

The part that discontented Harvardites played in the foundation of Yale is recorded in Trumbull's History of Connecticut, Vol. I., pp. 500, 501, and in Josiah Quincy's History of Harvard University, Vol. I., p. 199 et seq.

In 1701 William III. was still alive and undoubtedly had not ceased grieving for the loss of his royal consort. It was part of the policy of William and Mary to deal well and fairly with the colonies, and these kind regards were continued by Queen Anne. Connecticut's troubles were not, therefore, with the mother country, but with her two powerful neighbors, Massachusetts and New York—each greedy of her territories and hostile to her liberties. The new school was founded and fostered, that candidates for the ministry should not be obliged to pursue their primary studies at the school established at Cambridge, and that Connecticut might have good excuse for discontinuing its subsidies to that institution.

From the founding of the colony, and for many years after, the clergy were foremost in society for

learning and for influence. Religious freedom was the foundation stone of the commonwealth. Religious matters were the matters of chief concern. Secular matters were referred to the church for adjudication. The church represented the courts of justice of to-day. No wonder it attracted the strongest manhood and the ablest intellect in a community where lawyers were exposed to arrest and imprisonment as common barrators though guilty of nothing unusual in the profession. The jealous church arrogated to itself censorship over all public and private activities. For years in New Haven colony the right to vote was limited to church members in good standing; and you would not have to travel very far from the Green in any direction to find folks who would like to see the law revived. By the church was meant the Puritan church, the Congregational church of to-day. If the particular name be not specified it is because the existence of other denominations was ignored. When the New Haven colony was joined to Connecticut, and there appeared a small show for civil government, John Davenport, in spite of his extreme age, was so mad that in a grand huff he went back to Boston leaving his flock to shift for itself.

One point about this charter. It was granted to individuals and on their petition. Story, in his opinion in the Dartmouth case, stated as follows:

"It is a general rule of the common law that a grant of the king at the suit of the grantee is to be construed most beneficially for the king, and most strictly against the grantee. Wherefore, it is usual to insert in the king's grants a clause that they are made, not at the suit of the grantee, but of the special grace, certain knowledge, and mere motion of the king, and then they receive more liberal construction." These words occur in the Dartmouth charter. No similar expression is to be found in any of the Yale charters.

According to the triennial catalogue, the college at the start must have had a hard time of it. In 1702 there was one graduate. It seems to have been the custom to confer the M.A. degree and the B.A. degree at the same time. In 1703 there was another graduate. In 1704 there were four. After the name of one of the four is "M.A. Harv." As his name is not in italics, the trustees and the one tutor representing a faculty, probably found out that he was not clerically inclined, and so fired him out to finish his education at Harvard, where a bit of secularity was beginning to show itself. In sixteen years there were but sixty-one graduates. Of these but fourteen are not honored with clerical italics. As the clergy had the best of everything in those days, and were consequently long-lived the supply was undoubtedly sufficient.

The next legislation, so far as the writer knows, but his knowledge is limited and subject to authoritative correction, occurred in 1723, when George I., the German, was by his ways and manners making some Englishmen think they had been over hasty in expelling the Stuarts; when the last French war was under way; when the first state house at Hartford had been erected and the conception of our own classical antiquity had still before it more than a century of repose in the womb of time; when the Saybrook platform was in full swing, and when citizens were being fined twenty shillings for absenting themselves on Sundays from their "lawful congregations."

The act of 1723 removes the forty year limit by reducing it to thirty. It also enables a majority of the trustees present to act under circumstances which, under the old act, required the presence of a quorum. Either venerable clergymen "residing in Connecticut" were becoming scarce or they were failing to appreciate the honor of the position. In the act the school is sometimes called a college, sometimes a collegiate school. The school is said to have been "erected;" as if the building defined the term. The title "Yale College" appears. The trustees moreover are given power to appoint a rector and a clerk. The point of importance to this discussion is that it nowhere

appears in the act that the changes were effected with the consent, or even on the application, of the trustees. The general assembly had no doubt of its authority to regulate a college of its own creation.

Then comes the act of 1745. As this act created the charter substantially as it exists to-day, some of its provisions must be carefully examined. The act sets forth the acts of 1701 and 1723; and then, stating that the present act is on the petition of the trustees, enacts, ordains and declares as follows:

1st. That the trustees shall be an incorporate society or body corporate, and known by the name of "The President and Fellows of Yale College."

2d. That gifts and bequests made to the college under any name, when the intent is clear, shall be vested in the president and fellows aforesaid.

3d. That the president and fellows may, and shall, have a common seal.

The fifth paragraph regulates meetings.

The sixth relates to the perpetuating of the body by elections, and apparently gives the body, by special grant, the power of removing a member. The wording is obscure. A trustee, or president, may be removed "whom the said Governor and company hereby declares for any misdemeanor, unfaithfulness, or incapacity, shall be removed by the president and the fellows of the said college, six of them concurring in the such act." This

probably means that it was recognized that the power to expel was lodged in the hands of the Governor and company, that is, the General Assembly; and that this power was granted in anticipation for each case as it might arise. Whether the fellows would, under the clause, have the power to remove a president, is doubtful. Probably this could only be done by direct act of the legislature. In this paragraph the word "university" occurs for the first time. The trustees are given the power to appoint all such officers, professors, etc., usually appointed in "colleges, or universities." Connecticut legislators even as late as 1745 had vague notions of the distinctive features of schools, colleges and universities.

The eighth paragraph is very important. The power of the president and fellows to manage the affairs of the college in all detail is fully and clearly set forth. The important part is the last clause. "Which," that is, the acts of the president and fellows, "shall be laid before this assembly as often as required, and may also be repealed or disallowed by this assembly when they shall think proper." If this clause has not been repealed, then the people of Connecticut have through their representatives all necessary power for correcting abuses, and are responsible for their continuance. The writer so far has failed to find any record of

such repeal though the clause does not appear in the charter as published in last year's catalogue, and the catalogue states that all *permanent* provisions of the charter are given. Until this point is settled in favor of the clerical party, it is unnecessary to argue on general principles against them, for with that clause in continuing existence they have not a leg to stand on.

Under the clause the legislature can render the charter inoperative, and thus kill it deader than a door nail.

The ninth paragraph gives the president and fellows power to confer all degrees as are usually given in "colleges or universities." This paragraph is also of great importance, for on it, as is understood, the college bases its powers to establish schools and confer degrees outside of its own immediate functions, and to continue the same Puritanical superintendence of law, medicine, science and art which existed in 1692, for instance, when good old souls who could not stand long sermons and nasal psalm squealing were called witches and condemned to death accordingly. A little wholesome and common sense legislation may be necessary to make clear to Congregational insight the difference between the two words.

The tenth paragraph is delightful. A pity it were not in existence. Under it any soul in any

way permanently connected with the college, both he and his possessions enjoyed freedom from rates, taxes, military service, etc., etc. Even the modern sweep would have reaped the benefit.

The eleventh paragraph grants the president and fellows for the use of the college "one hundred pounds silver money a year at the rate of six shillings and eight pence." How much that would amount to to-day may be figured out by the curious. "This payment to be continued during the pleasure of this assembly."

The ruling in the Dartmouth case has as little to do with the construing of such a charter as it has to do with the regulating of the planetary system.

V.

The charter of 1745 was framed and granted—"imposed" might be a better term—during the presidency of Thomas Clapp, the sturdy upholder of the college's autonomy. The clause giving the General Assembly power to "repeal or disallow" all acts of the corporation must have sent a cold chill down his venerable back, but such unpopularity had followed his bigoted opposition to the Whitefield revivalists that he and his followers swallowed the prescribed dose in discretionary silence.

The charter of 1745 is a well constructed document. It is clearly and succinctly worded. No better example had as yet been given by a legislative body.

Next in chronological order comes the very important amendment of 1792. In this year, to be brief, the state having on hand a large amount of surplus money and being willing to grant a portion to the college, desiring, moreover, that the question of authority should be settled once for all, and peacefully if possible, made a proposition to the president and fellows. The proposition was substantially to the effect that the sum of "two thousand five hundred pounds, lawful money" should be donated to

the college "for the erection of a new building or college, for the reception and accommodation of the students;" and that the residue, if any, should be turned into a fund "for raising an annual revenue forever hereafter to be applied to, and for the support of, necessary professors in the various arts and sciences, for the benefit of said college." The condition affixed to the gift was that the Governor and Lieutenant Governor and "six senior assistants in the council of the state" should be fellows of the college, and that the presence of at least four of these new members should be necessary to constitute a quorum for the transaction of any and all college business. After a month's consideration, finding no way out of the dilemma, President Stiles and his clerical associates, making virtue of necessity, accepted. The new college, now South college, was called Union college to commemorate the termination of strife; the new fellows entered upon the discharge of their duties; all was serene; only an occasional bump disturbed happiness. It is the greatest pity in the world that the arrangement was ever disturbed and terminated. The reader will perceive that up to this time "college" was a vague term; as applicable to a building as to an institution. Here might be inserted a discussion of the necessity a state is under to preserve a superintendence of all the institutions of learning

within its borders. The theme is as old as the dialogues of Plato. Arguments in its support could be drawn from history since the establishment of the first republic. Certainly a state should create no institution of learning which it is not capable of understanding and superintending, and which is not in practical sympathy with its own growth. But these papers are simply for the presentation of a few facts with the hope of eliciting more facts, so that all the facts of Yale's position and necessities may be known to the alumni.

Between 1792 and 1834 sundry acts were passed by the legislature to accommodate old provisions to the new constitution of the state and to make effectual the state's grants. There is nothing in these acts to change the fundamental provisions of the charter of 1745, though one most important fact must be noticed.

The new state constitution was adopted in 1818, one year before the decision in the Dartmouth case. One of its clauses is as follows: "The charter of Yale College, as modified by agreement with the corporation thereof, in pursuance of an act of the General Assembly, passed in May, 1792, is hereby confirmed." The question naturally arises, does this confirmation in a distinct article of the constitution operate to make the charter such a component part of the constitution that its terms can

only be altered in the manner the constitution provides for its own revision; that is, by submission to the people on a two-thirds vote of the assembly. If this be so, then all college legislation since 1818, not consistent with the charter of 1745 as modified in 1792, is void. But as such legislation has taken place, it must be concluded that in the opinion of Connecticut lawyers and legislators the article in question was only an announcement on the part of the people of the state that they took Yale College under their particular care and protection. That no amendment to the constitution has been offered confirming the charter of Trinity, formerly Washington, or of Wesleyan, emphasizes this distinction. Yale is preëminently the state's institution. Or it may be that the article was introduced for buncombe; as a sop to the Puritan clericals who, as is well known, were bitterly opposed to the new constitution as they recognized in its adoption the termination of their supremacy in civil matters.

Another point. If the charter be part of the constitution, then it certainly cannot be regarded as a contract under the Dartmouth case, for the free act of a people as expressed in a constitution has nothing in common with a contract.

The fourth section of the first article of the constitution is also of importance in the matter under

discussion. It reads: "No preference shall be given by law to any Christian sect or mode of worship." The existing government of Yale is in violation of this fundamental law of the state.

The next act of general interest is the act of 1838. The important part of the act is as follows: "Whenever there shall be present at any future meetings of the corporation of Yale College a majority of the fellows thereof, such majority shall constitute a quorum for the transaction of business, provided there be present a majority of those who are by election successors of the original trustees thereof." This was a great victory for the clericals, as it enabled them to proceed to business without the presence of the four state members whose presence was required by the act of 1792. It also, by requiring the presence of the clerical members, took from the other members all power of contributing to the formation of a quorum. For instance; if the Governor, the Lieutenant Governor, and their six "assistants" were present, and but two clericals, this would constitute a majority of the whole body. But they could not proceed to business till four more clericals had arrived; that is, without the presence of a majority of the clericals. The state members must have grown very careless in the discharge of their duty to make such a law necessary, and state legislators must

have grown lax in the discharge of their duty to make the passage of such a law possible. This surrender of state interest and superintendence is the worst piece of legislation in the history of the institution. Thereafter and ever since the clericals have had their own way. Their discussions are held behind closed doors. Their acts are shrouded in darkness. Their fiats alone come to light. Attendance on the part of the state members naturally fell off till it virtually ceased.

From 1838 till 1871 there does not seem to have been any legislation of public interest. The clericals were in full swing. The college could not help having a share in the general growth and prosperity of the country. Besides, the Congregational church was still large and influential, and modern notions were not as yet prevalent.

About 1860 there was a revival of the interest of graduates in the institution. The idea was started that graduates were still members and that as members they had duties and rights; the right of representation; the right of knowing how the institution was governed; how its property was managed; what use was made of their gifts, etc. This spirit once alive soon became so strong that the clericals were forced to recognize it. They undoubtedly thought, "How can we satisfy this manifestation with the least sacrifice of our own

position?" The device they excogitated was so clever that graduates are still admiring the astuteness of the clerical intellect when pushed. It consisted in substituting graduates for the "assistant" state members, leaving the Governor and Lieutenant Governor. The clericals knew the state members would be glad to quit positions their carelessness had permitted to be shorn of power; and they thought the graduates would be so puffed up with their new honor that it would be quite a time before they discovered its emptiness. They were right in their calculations; but the time of discovery has fully come.

The provisions of the act of 1871 are well known. The graduates may elect each year a representative to serve six years. So there are always six graduate members of the corporation; but the restrictions of the law of 1838 subsist, and graduate members count for nothing in the formation of a quorum.

The law of 1871 contains moreover the singular provision that the elections shall be "under such regulations as the president and fellows shall prescribe." As a majority of the graduates are not supposed to be in sympathetic harmony with the clericals, this is very much as if the voting of the democratic party, for instance, were to be done under regulations prescribed by the republican

party. As a matter of fact not a graduate has been elected, or probably ever will be, without clerical endorsement.

Positions are generally bestowed upon such men as Evarts, Depew or Phelps, who regard them as sinecure honors, and who have neither time nor volition to devote themselves seriously to college affairs. Besides, if all the graduate members and the two state officials should combine, the odds would still be ten to eight against them, with a clerical president over all who claims the power to veto the acts of the very body that created him. No sensible graduate will, under the circumstances, allow himself to be put in nomination unless he be backed by the machine and be prepared to run with it. Among the "regulations" "prescribed" by the party in power, some are peculiar.

Every graduate has read the slip he receives each spring inviting him to make a nomination. The slip states that "the names of all persons who are nominated by as many as twenty-five electors shall be announced after May 1st." The plain, common sense meaning of this is, that if the right to nominate be exercised at all, it must be exercised before the first of May. The legal interpretation of the term "after May 1st" would undoubtedly be "immediately after May 1st," precluding the reception of votes after that date, and demanding

the announcement of the result as soon after as possible. This is not, however, the interpretation put on the term by the party in power. It claims, and exercises, the right of keeping the polls open as long as it pleases, and of not announcing the result till it is ready. Under such an arrangement all sorts of queer things are possible. For instance; if on May 1st it should appear that no friend of the clericals had been nominated, and a pronounced enemy had, it would not require very much scurrying about to secure the few votes necessary to put up against him the party best equipped to smash him.

Again, Regulation No. 2. The powers that be proclaim the right of throwing out all ballots of which all the written part is not in the same handwriting. They don't say they will, they say they may. They propose exercising discretion in the matter. They moreover state that they themselves are to be the judges of the handwriting. As it is not safe for a man nowadays to swear to his own handwriting, think of the power reserved in this "regulation." The editor of the Hartford *Courant* was quite right in stating that it would be far better and easier for the clericals to appoint the graduate members directly and immediately. No graduate in opposition can possibly be elected. He can't carry the handicap. He is a fool to try. Do let the ridiculous farce be stopped.

One point is unanswerable. If representative graduates be admitted to the corporation, the corporation by that act becomes a public and representative body, and its deliberations must be made public. Otherwise the fundamental rule governing all representative bodies is violated. Graduates have the same right to know how their representatives are representing them, that citizens have to know how their representatives in Congress, or in State Legislatures, are performing the duties with which they have been entrusted.

VI.

The last clause of the act of 1871 is as follows: "The acceptance of this act by said corporation shall not operate to make the charter of said corporation as heretofore amended, subject to repeal, alteration or amendment, without the consent of said corporation."

This needs explanation. Certain laws governing corporations were passed in 1845. These laws stand to-day substantially as they were passed. The one to the point provides (G. S. of 1888, page 416, Sec. 1911) that the acceptance of an amendment to a charter "shall operate to make the original charter and all resolutions amending and altering the same, subject to amendment, alteration, or repeal, at the pleasure of the General Assembly," "if it be not otherwise specially provided in the resolution." Therefore if this final clause had not been added there would remain no doubt as to the present power of the General Assembly over the college.

The object of the law of 1845 is evident. The people of Connecticut determined to observe the constitution and to put an end to all monopolies so far as in them lay. A method devised was to prevent corporations possessing independent charters

from changing, or amending them, without surrender of independence and acceptance of the general corporation laws of the state. The pity is that a saving clause was introduced into the act, and that the act in its simplicity was not made a part of the constitution.

As in the college charter of 1745, as already seen, the General Assembly reserved the right to repeal, or disallow, the acts of the president and fellows, it does not at first appear why a clause should have been added to the college law of 1871 which, according to the reading of the law of 1845, was only to be used in the case of corporations over which the General Assembly had no control, and over which it did not propose to assume control. If, however, it be the policy of the college to ignore the existence of the clauses of the charter of 1745 which give the General Assembly power over it; if it claim independence of the legislative body; then, to be consistent, it must demean itself as one of those antiquated and inconsequent bodies, fortunately few in number, which still possess a being independent of the state by which they are surrounded and nourished. If this be the reason, then the addition of the final clause is but a sorry device to blind the eyes of the superficial enquirer and deceive the wits of the careless investigator. It certainly can have no effect in classing the charter

of Yale with those charters which, like the charter of the Derby turnpike, for instance, are still beyond the reach of legislative action. This final clause leaves the charter precisely in the same relations to the General Assembly as before the passage of the act. It cannot be that a clause of a law intended to make charters amenable to legislative enactments should have the effects of making a charter heretofore amenable no longer amenable. It is more becoming, however, in these investigations to suppose that the parties who drafted these various acts were firm and honest believers in the college's autonomy.

From 1871 till 1887 no college legislation appears. In 1887 an act was passed which at the first glance seems insignificant, but which the more closely it is examined the more pregnant it appears. It is worded as follows: "That the use of the title 'Yale University' by the corporation existing under the name of 'the president and fellows of Yale College, in New Haven,' is hereby authorized, and all gifts to, contracts with, conveyance to or by, or other acts affecting said corporation, by either of said names, shall be valid; and the acceptance of this act by said corporation shall not operate to subject its charter to repeal, alteration or amendment without its consent.

"Approved March 8, 1887."

The final clause, being similar to the final clause of the act of 1871, needs no further explanation. The body of the act confers upon Yale College the privilege of calling itself Yale University whenever it chooses; and apparently that is the whole of it. College authorities state that the object of the act is to prevent the loss of gifts and bequests from parties who in wills and deeds might carelessly use the word "University" instead of the word "College."

If John Smith tire of his plebeian name and prefer to be known as Vanderbilt Astor McAlister Smith no one will oppose his harmless vanity. In fact there is a statute expressly provided for such mild eccentricities. If a John Smith keep a store and think the addition of "& Co." to his name would attract more customers, there is no terrible penalty in the way of the addition. An explanation to the enquiring officials that the addition was for buncombe would be accepted. Not one customer in a hundred would insist upon seeing the "Co." John Smith would rarely be called on to fib. But if John Smith turn himself into "The John Smith Manufacturing Company," then John Smith will cease to be an individual and must have himself properly incorporated. As far as he is a company so far he ceases to be under the laws of persons and comes under the laws of

corporations. By parity of reasoning, when a college ceases to be a college and becomes a university it becomes subject to the laws governing universities. If there be no laws in a state relating to universities, no university can legally exist till laws be made and provided thereunto relating.

If the difference between a college and a university has been made clear, then it is evident that a college can no more become a university by calling itself a university than John Smith can become the John Smith Manufacturing Company by change of title and by nothing more. The object of this legislation is becoming obvious. Is it not to spread the laws of Yale College over the other departments of learning bearing the name of Yale, and to confirm the policy by which the absurd spectacle is presented of schools of law, medicine, science, and art, controlled and governed by a self-perpetuating body of Congregational clergymen? And may not its indirect object be to prevent hereafter moneys being donated, or bequeathed, to any department of the institution but the one known as Yale College? Is this not the technical meaning, may it not be the latent intent, of the act? Have any graduates had their attention called to the possibilities of this extraordinary bit of legislation? That the college authorities propose regarding the act as conferring something more

than the permission to use the name "University" at will is evident. It seems, as has already been intimated, as if they proposed regarding the act as an act creating a university, and conferring the powers and position of a university on Yale College by confirming it in its control or the other parts of the institution: thus making a part superior to the whole and supreme over the whole. The catalogues published since the passage of the act are evidence. They bear the title "Catalogue of Yale University." Then comes the list of the faculty and instructors: President, Rev. Timothy Dwight, D.D., LL.D. President of what? President of the university of course. Nothing else has as yet been mentioned. Subsequently appear the pages devoted to the academic department, which, in brackets, is proclaimed to be Yale College proper. Here the distinction is clearly indicated and the existence of a university apart from the college frankly admitted. President of the academic department—Rev. Timothy Dwight, D.D., LL.D., and so on throughout; his name appearing at the head of each department, and as its president. If he were president of the university, to begin with, and ex-officio president of the various departments, it might appear a trifle less singular. But he is all these presidents simply and solely because he is the president of the aca-

demic and undergraduate department; a department which in scholarship takes rank below all the others. It is difficult to write seriously of so extraordinary a condition. How odd it is that the absurdity of placing one and the same Congregational clergyman over the various schools constituting Yale should never have occurred to Connecticut's legislators! How quickly the incongruity would have been made evident to them if a physician, for instance, had been placed over the theological school; or a body of lawyers had been placed in charge of the medical department! And yet the existing condition is no less opposed to common sense. If the act be allowed to stand, year by year advantage will be taken of it till age has solidified the provisions which in it are vague and obscure, as if put timidly and tentatively.

The object of these papers has been to put before graduates the statutory history of the college. This task seems sufficiently accomplished. There is growing in the minds of graduates a persuasion that the present state of things cannot last much longer. May the present generation live to enjoy the realization of their fondest hopes.

The clerical answer to objections is always: "Who could manage the institution better?" If the acts of the corporation relating to the department with which I was connected could be exposed

the rejoinder would be: "Who could have managed a department worse?" Not for me the task, however, unless on citation; for even at this distance of time I am sure I could not approach the subject dispassionately and with a strictly impartial and judicial mind.

It is not fair, however, to infer from the conduct of the corporation towards the art department, that the same characteristics have marked its conduct towards other departments. But it is fair to anticipate from this conduct the probable attitude of the corporation towards those departments of an University which are either not within the sphere of clerical sympathy, or are outside the boundary of clerical inquiry.

Three things so far are clear: 1st, The difference between a college and an university; 2d, That the state has never surrendered control of Yale College, and 3d, That it is the duty of the state to pass laws for the governing of Yale University.

Nothing will be done until graduates and others interested in the matter insist upon action. They must unite, consult, determine and contribute. Cash is a factor in everything now-a-days. Cash to print; cash to circulate printed matter; cash to retain the best of legal advice, etc.: even cash for a lobby. It will be comparatively easy to frame a body of laws for Yale satisfactory to nine-tenths

of her graduates; excepting of course, the clericals and their adherents. In fact so far as opinions have been expressed they all point in the same general direction:

1st, Virtual autonomy of the several departments.

2d, A central body, call it what you may, composed of state representation; delegates from the several departments; and an increased number of elected graduates.

3d, A chief executive elected by the central body for a limited number of years.

These, in the rough, outline the desired reform.

Many Yale men, however, who have given the subject study, regard the queer and complex government of Harvard as the very best one for a university the country has yet developed.

Any change would be acceptable which would terminate the denominational character of the institution and admit to the governing board the best intelligence, the widest experience and the highest culture of all branches of American life.

YALE UNIVERSITY
GRADUATE SCHOOL

Bishop Museum Fellowships.

TWO Fellowships, of the value of One Thousand Dollars each, are offered for study and research in Anthropology, Botany, Zoology, Geology, or Geography. The Fellowships are open to men and women, in the United States and other countries, who have completed at least one year of graduate study at an institution of high standing; preference is given to candidates who have already obtained the degree of Doctor of Philosophy or who have otherwise demonstrated their fitness to undertake original research.

The Fellowships are primarily intended to promote scientific investigation within the Pacific Ocean region. The results of all research must be submitted to the Bishop Museum for publication.

Applications for these Fellowships should be made to the Dean of the Graduate School of Yale University, New Haven, Connecticut, or to the Director of the Bishop Museum, Honolulu, Hawaii, before March 1, on blanks which may be obtained from them, and should be accompanied by

1. Official transcript of applicant's academic record.
2. Reprints of his scientific publications.
3. Letters of recommendation.
4. A recent photograph.

A statement of the nature of the proposed investi-

YALE UNIVERSITY
GRADUATE SCHOOL

Seessel Fellowship for Research.

A SEESSEL Fellowship, of the value of Fifteen Hundred Dollars, is offered for original research in Biological Studies at Yale University. Competition for this Fellowship is open to both men and women in the United States and other countries. In making the award, preference is given to graduates of universities who have already obtained the Ph.D. degree, and who have demonstrated by previous work their fitness to carry on successfully original research of a high order in one of the three departments of Biological Studies: Physiology (including Physiological Chemistry), Zoology, and Botany.

Applications for this Fellowship must be made to the Dean of the Graduate School, Yale University, New Haven, Connecticut, before March 1, and should be accompanied by

1. An official transcript of the applicant's academic record.
2. Reprints of his scientific publications.
3. Letters of recommendation.
4. A recent photograph.
5. A statement of the particular problem to be investigated.

Application blanks may be obtained from the office of the Graduate School.

ships are awarded on the understanding that the recipients shall not engage in teaching during the tenure of appointment. A holder of a Fellowship who has been in residence at Yale University for a year or more, may be permitted in exceptional circumstances to carry on his investigations in part elsewhere.

The stipends of the Fellowships range from $1,000 to $2,500 or more, dependent upon the previous experience of the recipient and the character of the proposed investigation. For special purposes, such as completing a specific investigation, awards of less than $1,000 may be made. Fellows who are candidates for the Ph.D. degree are subject to the usual tuition and laboratory fees. All fellows are appointed for a single year, but may be reappointed with or without change in stipend.

Holders of Sterling Fellowships are required to submit reports on their work, either at stated intervals or at the expiration of their Fellowships; and when the results are published they are expected to give proper credit to the assistance they have received as Sterling Fellows.

Applications for these Fellowships must be submitted by March 1, addressed to the Dean of the Graduate School of Yale University, New Haven, Connecticut, on blanks which may be obtained from him.

YALE UNIVERSITY
GRADUATE SCHOOL

Sterling Fellowships for Research in the Humanistic Studies and the Natural Sciences.

THE Sterling Fellowships have been established by a gift of One Million Dollars from the Trustees of the Estate of the late John W. Sterling to stimulate scholarship and advanced research in all fields of knowledge. They are open to graduates of Yale University and other approved universities and colleges in the United States and foreign countries, to both men and women, whether graduate students, or instructors or professors when on leave of absence, who desire to carry on studies and investigations under the direction of the Faculty of the Graduate School of Yale University or in affiliation with that body.

The Sterling Fellowships are awarded primarily to persons who have had such training and experience in research as is indicated by the degree of Doctor of Philosophy. In some instances awards are made to students who desire to complete their work for the Ph.D. degree. They must, however, be far advanced in their work towards this degree and be able to devote substantially all of their time to investigation. Fellowships are awarded on the understanding that the recipients shall not engage in teaching during the tenure of appointment. A holder of a Fellowship who has been in residence at Yale University for a year or more, may be permitted in exceptional circumstances to carry on his investigations in part elsewhere.

The stipends of the Fellowships range from $1,000 to $2,500 or more, dependent upon the previous experience of the recipient and the character of the proposed investigation. For special purposes, such as completing a specific investigation, awards of less than $1,000 may be made. Fellows who are candidates for the Ph.D. degree are subject to the usual tuition and laboratory fees. All fellows are appointed for a single year, but may be reappointed with or without change in stipend.

Holders of Sterling Fellowships are required to submit reports on their work, either at stated intervals or at the expiration of their Fellowships; and when the results are published they are expected to give proper credit to the assistance they have received as Sterling Fellows.

Applications for these Fellowships must be submitted by March 1, addressed to the Dean of the Graduate School of Yale University, New Haven, Connecticut, on blanks which may be obtained from him.

Press of Tuttle, Morehouse & Taylor, New Haven.